

Item No. 6

20.06.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5264 of 2022
Aniruddha De

v.

The State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Soumyajit Mahapatra
Mr. Soumik Das
... for the petitioner.

Mr. Susanta Kumar Mukherjee
Mr. Hare Krishna Halder
... for the State.

Mr. Tarun Kumar Das
Mr. Bhaskar Hutait
... for the respondent no. 8.

The matter relates to construction of boundary wall over Plot No. 606, Khatian No. 635, J.L. No. 340, Mouza-Haipith, Police Station-Debra, Paschim Medinipur.

The petitioner submits that he intends to construct a boundary wall strictly over his plot of land without encroaching any portion of the public lane that lies beside his land.

It has been submitted by the Pradhan of the Gram Panchayat that there is less space in the turning point and if the boundary wall is constructed, then vehicular movements may be restricted.

It appears from the submissions made on behalf of the parties that the petitioner has sought to construct

the boundary wall over his plot of land without encroaching any portion of the public lane.

The petitioner is entitled to do so.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioner to construct the boundary wall strictly within his private land without encroaching any portion of the public lane and to make construction in such a manner over his private land, so that the vehicular movement at the turning point is not restricted.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)